



HIGH COURT OF CHHATTISGARH, BILASPUR
(DIVISION BENCH)

CORAM: HON'BLE SHRI JAGDISH BHALLA, ACTING C.J. &
HON'BLE SHRI DILIP RAOSAHEB DESHMUKH, J.

Writ Appeal No. 111 of 2007

Appellant : Harish Bhatia, son of Late Shri S.R.
(Petitioner) Bhatia, aged about 59½ years,
Assistant Engineer, FOM, Sub
Divisional Officer (E/M), Sub Division,
Bilaspur, resident of MIG E-37, Parijat
Extension, Nehru Nagar, Bilaspur.

-Versus-

RESPONDENTS : 1. State of Chhattisgarh, through the
Secretary, Water Resources
Department, D.K.S. Bhawan,
Mantralaya, Raipur (C.G.)
: 2. The Engineer-in-Chief, Water
Resources Department, Raipur (C.G.)
3. The Chief Engineer, Mahanadi Dam
Project, Water Resources Department,
Raipur (C.G.)
4. The Superintending Engineer, E/M
Circle, Water Resources Department,
Raipur (C.G.)
5. Prem Prakash Ajariya, Sub-Engineer
(E/M), office of E.E. Heavy Machinery
Division, Bilaspur (C.G.)

Writ Appeal under Section 2(1) of the Chhattisgarh High Court
(Appeal to Division Bench) Act, 2006

Present:
Shri Dinesh R.K. Tiwari, Counsel for the appellant.
Shri N.K.Agrawal, Deputy Advocate General for the State/respondents
No.1 to 4.
Shri V.G.Tamaskar, counsel for respondent No.5.

ORAL ORDER
(Passed on 11.06.2007)

The following oral order of the Court was passed by Jagdish
Bhalla, Acting C.J.

This is a writ appeal arising out of order passed by learned Single
Judge Hon'ble Shri Justice Satish K. Agnihotri, wherein the appellant's
Writ Petition (S.) No.2930/2007 was dismissed.

(2) We are of the considered opinion that interference in the transfer matter can only be made when there is violation of law or strong case of *mala fide*.

(3) The appellant was transferred in the same city from one position to another position on the same rank and his emoluments were not reduced. However, the appellant's case was that respondent No.5 – Sub-Engineer has been given charge of the office of Assistant Engineer to be looked after.

(4) We do not find that there is any violation of law or case of strong *mala fide* as far as the transfer of the appellant is concerned.

(5) In the light of above, we approve the order passed by learned Single Judge in Writ Petition (S.) No.2930/2007. No interference is warranted. The appeal is dismissed.

Sd/-
ACTING CHIEF JUSTICE

Sd/-
Dilip Raosaheb Deshmukh
Judge